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09/693,713

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09/15/2006

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EXAMINER

HOFFMAN, BRANDON S

ART UNIT

PAPER NUMBER

2136

DATE MAILED: 09/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/693,713,

Applicant(s)

MIYAZAKI ET AL.

Examiner

Brandon S. Hoffman

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 39-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 39-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 39-52 are pending in this office action.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 25, 2006, has been entered.

3. Applicant's arguments, filed July 25, 2006, with respect to the independent claims have been considered but are moot in view of the new ground(s) of rejection.

#### ***Rejections***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 112***

5. Claim 41 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 41 recites the limitation "permitting registration." It is unclear what the applicant's intended metes and bounds for the claim is.

***Claim Rejections - 35 USC § 102***

7. Claims 39-52 are rejected under 35 U.S.C. 102(a/e) as being anticipated by Schneier et al. (U.S. Patent No. 5,956,404).

Regarding claims 39, 43, and 50, Schneier et al. teaches a digital signing method/apparatus/computer program product, comprising:

- A processor (col. 5, lines 22-28);
- A storage medium to store a log list comprising previously generated digital signatures (fig. 4, ref. num 302, fig. 5, ref. num 327, fig. 6, ref. num 352, and col. 6, line 65 through col. 7, line 15),
- Wherein said processor computes a hash value of inputted data including a message to be signed or a hash value thereof (col. 6, lines 40-50 and fig. 4, ref. num 306),
- The inputted data further including an earlier generated digital signature obtained from the log list or a hash value thereof (col. 7, lines 3-7 and lines 21-26), and wherein
- Said processor encodes the computed hash value of the inputted data into encoded data of a predetermined format that is suitable for encryption processing for generating a signature (col. 8, lines 10-17);

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- Said processor applies a secret key to the encoded data to **produce a generated** digital signature (col. 6, lines 50-52 and fig. 4, ref. num 308);
- Said processor prepares a signature-attached data including the generated digital signature, the message to be signed, and the **earlier generated digital signature or the hash value thereof** (fig. 6 and col. 6, line 65 through col. 7, line 48); and
- Said processor registers **as log data the signature-attached data in the log list** (col. 11, lines 25-29).

Regarding claim 44, Schneier et al. teaches wherein

- Said processor applies said secret key to a message or the hash value thereof to generate a digital signature for the message (col. 6, lines 50-52 and fig. 4, ref. num 308); and wherein
- Said processor prepares a signature-attached data that includes the generated digital signature, the message, and the previous log data or hash value thereof (fig. 6 and col. 6, line 65 through col. 7, line 48); and wherein
- Said processor registers log data of a signature-attached data include the generated digital signature, the message, and the previous log data or hash value thereof, with said log list (col. 11, lines 25-2).

Regarding claims 40 and 45, Schneier et al. teaches wherein said log data further comprises a distribution destination (col. 6, lines 27-29).

Regarding claims 41 and 46, Schneier et al. teaches wherein registration of the log data with said log list is permitted only when the previous log data is included in the latest log data registered with said log list (col. 11, lines 45-48).

Regarding claims 42 and 47, Schneier et al. teaches wherein

- Said processor obtains a timestamp from a trusted authority, said timestamp generated by applying a second secret key to the digital signature, and a time (col. 12, lines 41-48); and
- Said processor prepares said signature-attached data including the generated digital signature, the message, and the previous log data or hash value thereof, and the timestamp (fig. 6 and col. 6, line 65 through col. 7, line 48).

Regarding claim 48, Schneier et al. teaches further comprising an interface configured to be connectable to a computer (col. 3, lines 48-49).

Regarding claim 49, Schneier et al. teaches wherein

- If a number of the log data registered with the log list exceeds a particular value, said processor outputs at least one of a plurality of log data registered with the log list to said computer, whereupon said computer registers said at least one of a plurality of log data with a second log list prepared in said computer (col. 12, lines 49-60), and thereupon,

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- Said processor deletes said at least one of a plurality of log data from said log list in said storage medium (col. 12, lines 1-15).

Regarding claim 51, Schneier et al. teaches wherein the computer readable storage medium is a computer readable medium for storing the codes (col. 3, lines 22-24).

Regarding claim 52, Schneier et al. teaches wherein the computer readable storage medium is a computer readable medium for transmitting the codes (col. 8, lines 28-31).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Brande R/h*

BH

**NASSER MOAZZAN  
PRIMARY EXAMINER**

*[Signature]*  
8/24/06